

## **Final Rule to Implement the Vessel Monitoring System Type-Approval Requirements – Questions & Answers**

### **1. What is the purpose of the final rule?**

The final rule codifies the existing type-approval requirements giving firmer notice of the type-approval requirements and a stronger basis to enforce compliance.

### **2. Who is affected by the final rule?**

The rule targets vendors of onboard mobile transceiver units and/or the associated mobile communications services. Fishers will benefit from better enforcement of the vendors' responsibilities to support the fishers' reporting requirements.

### **3. What is the impact to fishers if a type-approval is revoked?**

NOAA Fisheries' Vessel Monitoring System reimbursement program is designed to assist fishermen with the purchase of new mobile transceiver units, subject to certain restrictions. Under the final rule, if a type-approval is revoked, NOAA Fisheries would provide reimbursement to eligible fishermen, subject to the availability of funds.

### **4. How long would NOAA give fishers to install a new type-approved mobile transceiver unit in the event the type-approval for their existing unit is revoked?**

NOAA will handle each type-approval revocation on a case-by-case basis and will consider the reimbursement grant and its budgeting, fishing season, and the number of fishers affected as part of the analysis. NOAA Fisheries will be dedicated to facilitating compliance, helping ensure that fishers have adequate time to purchase and install a new type-approved mobile transceiver unit.

### **5. How often will vendors of electronic monitoring transceiver units have to renew their type-approval?**

Vendors are required to renew their type-approval every three years. This time frame provides adequate time for vendors to comply with the rule while minimizing burden.

### **6. Why did NOAA Fisheries change the Greater Atlantic Regional Fisheries Office regulations?**

In order to streamline the type-approval process and the revocation process, and to establish more continuity in compliance monitoring, the Greater Atlantic Region's current regulations have been matched to those in the rule. This will eliminate the possibility of duplicate, overlapping, or conflicting Federal regulations. In addition, NOAA Fisheries' Vessel Management System Headquarters office will coordinate the type-approval process for each U.S. region.

**7. If a type-approval is revoked for a specific fishery or region, how will that impact other regions and fisheries?**

Type-approval revocation in one fishery or region should not impact other areas. If a mobile transceiver unit is not maintaining its type-approval requirements in one area only, then NOAA's Office of Law Enforcement will only remove type-approval for that area. The mobile transceiver unit could continue to operate in other regions and fisheries.